

Town of Milton
Planning and Zoning Commission
Minutes
Sept 16, 2003

Members Present:

Linda Rogers
Bob Kerr

Dean Sherman
Eric Evans

Denny Hughs

Mike Filicko

1. The Planning and Zoning Commission held a public hearing to present and hear comments on the new Town Zoning Ordinances. There was discussion on the Town Center District. Mr. Welu suggested that Bed & Breakfasts should be a permitted use vice special permitted use. Mr. Jones commented that the Town should not restrict businesses from the Town Center District. He feels the changing of the Zoning from C-1 to T-C will hinder the growth of the Town Center. Mr. Dvornick commented on section 14 and that there was an oversight in the process for Rezoning. Mr. Dvornick presented his recommendation for the additional paragraph to be added to Section 14. Ms. Rogers stated that there needs to be a section for conditional uses. Mr. Evans to ask Town attorney for guidance on this issue.

2. *An application from Cannery Village LLC., for preliminary site plan review on Cannery Village phase II located on property surrounding One the Square, Milton DE. also identified by Sussex County Tax map 2-35-20.11 parcel 52.00.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Mr. Gene Dvornick stated he was representing the application and he would like to discuss the site plan with the P & Z members informally at this meeting then sit down with the Town on Tuesday the 23rd of Sept. for a more in-depth review for a submission for preliminary approval at the Oct meeting. Mr. Dvornick explained the site plan and the layout of the buildings. Mr. Dvornick also showed examples of the homes and structures to be placed on the site. Mr. Dvornick explained the goal of the development was to be able to offer a variety of living spaces at the same time (i.e. condo style, single family homes and town homes). Bob Kerr asked the Commission to look at a few requirements.

1. Setback requirements for the site plan. Does the commission have a problem with the proposed setbacks? Mr. Dvornick stated the setbacks were determined by reviewing Federal and Union Streets. Mr. Dvornick was to check with the Fire Marshal to make sure the building separation was in compliance.
2. Mr. Kerr asked the Commission about the sit layout in general and was they in agreement with the overall layout. The Commission stated they were O.K. with the layout.

Further discussion took place on the different buildings and their uses and the overall layout. The Commission was in agreement that the site plans would be reviewed by the Town and the Cannery will come back in Oct for Preliminary approval.

3. *Review an application for a variance from the Zoning Ordinance of The Town Of Milton from the required minimum square footage. Minimum requirement is 10,000 sq ft asking for a variance to create 2 lots of which would be approximately 7868 sq ft and 7834 sq ft. forwarding comments to the Board of Adjustment for The Town of Milton. Property located at 107 Chestnut Street, also identified by Sussex County Tax map 2-35-20.08 parcel 14.00.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Charles Coffman stated he was representing the application. After reviewing the application and with some discussion and no objections the Commission recommended the variance be granted with Dean Sherman making the recommendation and Mike Filicko seconding the motion with all members present voting in favor.

4. *An application from River Basin Engineering, representing Michael Zimmerman for preliminary site plan review on Milton Park Center, LLC. phase IV located at the intersection of Route 5 and Route 16, also identified by Sussex County Tax map 2-35-14.15 parcels 68.00 and 68.01.*

Linda Rogers introduced the application and asked if anyone was present to represent the application. Ken Christenbury from River Basin Engineering stated he was representing the application. Mr. Christenbury stated he addressed the comments from the Town's Engineer from the previous meeting. Mr. Kerr made the following comments:

- Contractor's Office/Service Bays not included in the current Zoning Ordinance for C-1 district but is included in the proposed Zoning Ordinance.
- There are a total of 430 parking spaces proposed for the entire site. It is the engineers recommendation that the parking be excepted but that any future development on this site should require additional parking above what is presently shown.
- No parking signs should be placed behind the Dollar General & Happy Harry's store.
- Curbing should be provided along the northern access road to the contractor's offices and along the storm water pond adjacent to the contractor's offices.
- Parking blocks or bumper blocks should be placed in all parking spots along the contractor's offices that do not have curbing.
- The 6" water main in the contractor's office area should be looped into the water main on the east side of Food Lion.
- The sanitary pumping station shown on the northeast side of the access road to the contractor's office will remain the responsibility of the property owner. The Town Of Milton does not desire to have an additional pumping station to maintain in this location.
- Two sanitary sewer laterals will need to be installed from the proposed restaurant retail shops building. One to the grease trap and one for sanitary sewage. The grease trap line should only be from sinks, dishwashers and floor drains within the kitchen area. No sanitary sewage should be deposited in the grease trap. The Town Of Milton will only be responsible for the lines from H-A out away from the restaurant.

- Site data information should be modified to show that this is 4 separate parcels.
- Location of any additional signage missing from site plan.
- Lighting plan for the additional buildings should be provided before final approval.

There was a lot of discussion between P&Z and Mr. Christenburry in regards to the location and amount of the contractor's office/bays. It was asked what the required setback was for this location in regards to the paper street. Mr. Fuqua had asked for more details to the paper street (i.e. who owns it, how was it recorded ect.). Mr. Christenburry will try to find additional information on the street as well as Mr. Evans.

No decision was made and the site plan was deferred until P&Z receives guidance from Mr. Fuqua on the setback determination. Ms. Rogers stated that she feels the site plan is over full (or there is too much) on the site. Maybe if the number of units are decreased all the parking and access ect. can be met.

5. The new Chapter 17, Subdivision Ordinance recommendation to the Town Council.

The Commission reviewed the Subdivision Ordinance and made some changes and at the end of the evening asked Mr. Kerr and Mr. Evans to review the remainder of the Ordinance and make the necessary changes.